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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
HUY TRINH et al.,)
)
Defendant.)
)
_____)

No. CR-10-0385-SI

[PROPOSED] ORDER AND
STIPULATION EXCLUDING TIME
FROM JUNE 4, 2010, TO JULY 30, 2010,
FROM THE SPEEDY TRIAL ACT
CALCULATION (18 U.S.C. §
3161(h)(7)(A))

On June 4, 2010, co-defendants Huy Trinh, Lan Jin, and Andy Wong made their Initial Appearance in front of the Court. At that time, the government stated discovery production was ongoing and the Court continued the case until July 30, 2010, to allow defense counsel an opportunity to review discovery. Over the objection of counsel for defendant Andy Wong, the Court agreed to exclude time under the Speedy Trial Act until July 30, 2010.

With the agreement of the parties (with the exception of defendant Andy Wong), the Court enters this order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h), from June 4, 2010, through July 30, 2010.

1 With the exception of counsel for defendant Andy Wong, the parties agree, and the Court
2 finds and holds, as follows:

3 1. The defendants agree to an exclusion of time under the Speedy Trial Act from June 4,
4 2010, through July 30, 2010, based upon the need for effective preparation of counsel and to
5 provide the defendants an opportunity to review discovery. The defendants agree to this
6 exclusion on the condition that their right to bring motions claiming Speedy Trial Act violations
7 prior to June 4, 2010, shall remain preserved.

8 2. Counsel for the defendants believes that the exclusion of time is their clients' best
9 interest.

10 3. Given these circumstances, the Court finds that the ends of justice served by excluding
11 the period from June 4, 2010, through July 30, 2010, outweigh the best interest of the public and
12 the defendants in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

13 4. Accordingly, and with the consent of the defendants, the Court orders the period from
14 June 4, 2010, through July 30, 2010, shall be excluded from Speedy Trial Act calculations under
15 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

16
17 STIPULATED:

18
19 DATED: 6/23/2010

/s/
STEVE GRUEL
Attorney for Defendant Huy Trinh

20
21 DATED: 6/23/2010


/s/
JEFFERY SCHWARTZ
Attorney for Defendant Lan Jin

22
23 DATED: 6/23/2010

/s/
AARON D. WEGNER
Assistant United States Attorney

24
25 IT IS SO ORDERED.

26
27 DATED: _____



HON. SUSAN ILLSTON
United States District Judge